United Nations CEDAW/C/BFA/2-3

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
25 February 1998
English
Original: French

Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Second and third periodic reports of States parties*

Burkina Faso**

Contents

	Page
Preface	3
Preamble	3
Articles 1 and 2	3
Article 3	5
Article 4	5
Article 5	6
Article 6	7
Article 7	8
Article 8	10

* For the initial report submitted by the Government of Burkina Faso, see CEDAW/C/5/Add.67, for its consideration by the Committee, see CEDAW/C/SR.176 and CEDAW/C/SR.180, and *Official Records of the General Assembly, Forty-Sixth session, Supplement No. 38* (A/46/38), paras. 84-137.

** The present document is being issued without formal editing.

98-07450 (E) 260698 210898

Article 9 11
Article 10 11
Article 11 13
Article 12 16
Article 13 20
Article 14 22
Article 15 25
Article 16 25
Annex 29
Abbreviations 30

Preface

Burkina Faso submits herewith its second and third periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

The second and third reports describe the framework within which the efforts towards equality between the sexes are being deployed in our country, the obstacles in the way of implementing the Convention and what progress has been made by all the social partners involved in combating discrimination against women.

Effectively, the reports cover the eight years or so since the first report was drawn up, in 1989, to the present.

Also, the second and third reports were drafted by the National Committee to Combat Discrimination (CONALDIS). The representatives of the various ministerial departments, non-governmental organizations, women's associations and religious and traditional authorities are listed in an annex.

Preamble

In 1993 the population of Burkina Faso, a Sahelian country, was 10,200,453, of whom 51 per cent were women. The rural population is 90 per cent of the total. Of the female population, 86 per cent live in the countryside. The literacy rate is 18 per cent overall, 8.03 per cent for women and 23.5 per cent for men.

Burkina Faso has always tried to include women in defining its development strategies, inasmuch as historically speaking its women have always been the backbone of its society, after the fashion of African women generally. Thus, on 28 November 1984, Burkina Faso ratified the Convention on the Elimination of All Forms of Discrimination against Women by Decree No. 84/468/CNR/PRES/REC; its accession to the Convention did not become effective until 1987.

In this connection, in 1991, after adopting its Constitution in June of that year, it set out a national strategy and plan of action to strengthen the role of women in the development process, and, so that its objectives would become more than just wishful thinking, took a number of steps in various areas.

In the economic field

In 1990, a Support Fund for Women's Gainful Activities (FAARF), or a bank for financing women's activities, was set up in each province to help women obtain access to credit by giving them loans or offering them its guaranty, and by providing them with business management training to enable them to manage their affairs better.

Also, there are people's banks, which are non-governmental organizations specializing in providing personal or group loans to women at lower rates of interest.

In the political and diplomatic field

Measures were adapted to facilitate women's participation in national political life.

In the social field

With the adoption in 1990 of the Individual and Family Code, steps were taken in favour of the social well-being of women and the family.

In the cultural field

Steps were taken through ambitious programmes of education to combat ignorance and obscurantism.

All these measures, none of which is restrictive, are aimed at eliminating any discrimination against women, whatever her social position, be she single or married, whether she goes out to work or looks after a family, and at protecting her physical and moral integrity. Achieving these objectives is a noble ambition and depends on the State and on its citizens. Indeed, written laws alone will not protect women if the rights those laws establish are not supported by society.

Inequality between men and women continues to be apparent 12 years after the Convention was ratified; that is why, given the hostility of the socio-cultural environment, a sustained effort by both women and men is needed to combat it. If the ideals in the various domestic and international human rights laws are to become reality and if social resistance and medieval ideas about the place of women are to be overcome, this effort must take the form of activities to raise the public's awareness of the issue, give them information about it and raise their level of understanding of it.

The judicial system's return to normal life since the democratization process was started is also worth noting. The judicial system guarantees civil liberties and ensures respect for individual rights.

Articles 1 and 2

After strongly condemning discrimination against women, the States parties to the Convention committed

themselves to taking such measures as they deemed appropriate to put an end to this practice, unfortunately still widespread, which is both unacceptable and in breach of human rights.

For its part, Burkina Faso made that solemn commitment in its Constitution of June 1991; its pro-women activities date back before that, however. Indeed, the first article of the Basic Law sets out the principle of equality and non-discrimination in the following terms: "All people are born free and equal in their rights".

Everyone has an equal calling to enjoy all the rights and all the freedoms guaranteed by the current Constitution. All forms of discrimination, including discrimination on the grounds of race, ethnicity, religion, colour, sex, language, caste, political opinion, wealth and parentage, are prohibited.

As a result, all people of Burkina Faso enjoy civil and political rights, though under the conditions set by the law (article 11 of the Constitution), and have the right to participate in managing the business of the State and society, with no distinctions of any kind.

This condemnation of all forms of discrimination by the constituent authority had already been affirmed in earlier laws. It has now been reaffirmed in later ones. The following details are intended to give the gist of all the laws relating to the various areas.

(a) Employment

Article 19 of Act No. 11/92/ADP of 22 December 1992, which sets out the employment Code, accords equal access to all people of Burkina Faso to jobs by forbidding discrimination on the grounds of sex, colour, social origin, ethnicity or political opinion. This prohibition affects both public and semi-public bodies.

Similarly, *Zatu* (Law) AN VI-0008/FP/TRAV of 26 October 1988, which sets out the Civil Service Act and General Regulations, states the principle of equal access to civil service jobs with equal rights and duties and without distinction to all people of Burkina Faso meeting the conditions set by the regulations in force.

Neither does the law make any distinction between those covered by social security. This is covered by article 3 of Act No. 13-72 of 28 December 1972, which sets out the Social Security Code for salaried workers. Article 3 makes the following provision: "... all workers covered by the provisions of the Labour Code are subject to the social security regime without distinction as to race, nationality, sex or origin ...".

(b) Ownership of land

Women's equality of access to land and to farm holdings is ensured by Order No. 84-050/CNR/PRES of 4 August 1984 on agrarian and land reorganization in Burkina Faso. Indeed, article 18 makes the following provision: "the urban and rural lands belonging to the National Land Office are allocated to those with a real social need for it, without distinction as to sex or marital status, in the order of priority set by the laws".

This Order was repealed by *Zatu* (Law) AN VIII-0039 BIS/FP/PRES of 4 June 1991, whose article 17 provides for allocation of the National Land Office's urban and rural land to natural persons without distinction and to legal persons under the conditions set by the laws in force. This law was repealed in turn by Act No. 014/96/ADP, which, in this respect, made no changes.

(c) Marriage

The Individual and Family Code enacted by *Zatu* AN VII-0013/FP/PRES of 16 November 1989, which entered into force on 4 August 1990, contains many provisions that protect women both within marriage and if the marriage is dissolved. It should be noted that in Burkina Faso, the legal regime for marriage is monogamy with an opportunity before the marriage for the spouses to opt for polygamy. Thus, within a monogamous marriage a woman can apply for her spouse's second marriage to be annulled.

Of all these laws, not one provides for penalties for violating the rules protecting women. However, this legal vacuum will be filled as the preliminary draft penal code provides in its articles 344-346 for penalties against anyone injuring the female genitals by full ablation, excision, infibulation, deadening of the nerves or any other means. If death results, the punishment is imprisonment for 5 to 10 years. Forced marriages are prohibited under article 234 of the Individual and Family Code.

Rape is punishable under the law. If the rape was of a minor under 13, the offender will undergo the maximum punishment of hard labour for a specified period. Sex trafficking, which is growing more and more extensive in Burkina Faso, is also punishable under the law. To combat this social scourge, the law provides for severe punishment of offenders: six months to three years in prison and a fine of 1-10 million francs. These sentences are made stiffer when the crime is committed against a minor. The same is true for any individual who runs a brothel or causes one to operate (articles 334-1 and 335 of the Penal Code). The laws alone are not enough to combat this scourge; a national anti-prostitution commission has been set up.

Under article 341 of the preliminary draft penal code, any man who, having entered into a monogamous marriage, enters into another before the first is dissolved, is sentenced to three months to a year in prison with a fine of 50,000 to 300,000 francs.

Article 382 of the preliminary draft penal code rectifies the discrimination that used to be practised against women in cases of adultery. In future, men and women will be treated equally in terms of adultery and desertion.

However, even though women enjoy legal protection in the same way as men, socio-cultural lag, traditional practices, reticence, ignorance of the law, illiteracy, the cost of legal action and the geographical remoteness of the courts all limit their access to justice.

There is no doubt that an awareness campaign about women's rights conducted jointly with women's associations and non-governmental organizations would help them break out of their reserve, as the traditional methods of settling lawsuits do not always favour them.

One may also deplore the absence in substantive law of appropriate measures to combat discriminatory acts and practices by the State, which are ever-increasing in number whether in public administrations, in semi-public and para-military administrations, in public or in private companies, in international organizations and diplomatic missions, or at the individual level, despite the proclamation of the principle of non-discrimination. So, what is to be done to make sure that this principle becomes effective? Setting quotas for female staff in public and private jobs could be considered an incentive.

Article 3

In Burkina Faso, there has been a positive trend over the last decade in national awareness about the status of women. Thus, programmes and an action plan have been set in motion at the political level with a view to the sustainable promotion of women's social and economic development.

In this connection, the Department of the Promotion of the Family, which was set up within the Ministry for Social Affairs and the Family, has as its fundamental mission stimulating and coordinating all legislative, administrative and economic measures aimed at promoting women's status, and providing follow-up to all activities relating to the implementation of those measures.

Alongside the administrative structure provided by the Department for the Promotion of the Family, there are many associations and non-governmental organizations which are also endeavouring to promote women's status and whose fundamental goals are to keep a watchful eye on the observance of women's rights and freedoms and to contribute to the genuine integration of women into the development plans and policies put in place by government authorities. We would, however, note that there are certain inadequacies in terms of the administrative structure that have to do with a lack of social indicators that would make it possible to measure the impact of the services provided to the various groups in the population, and with a lack of human and material resources.

Article 4: Temporary special measures and special measures aimed at accelerating de facto equality between men and women

1. *Temporary special measures*

Such temporary measures include the following:

- The Bantaaré operation, through which 17,000 women received literacy training in 1988;
- A workshop for consultation between His Excellency the President and the women of Burkina Faso (Koudougou, 18 and 19 June 1994);
- The distribution, free of charge, of 13,000 textbooks to girls in 11 provinces (Poni, Gnagnan, Kossi, Namentenga, Gourma, Tapoa, Séno, Ganzourgou, Soum, Sanmatenga, Oudalan) with a view to the mass enrolment and retention of girls in school;
- The award of scholarships to girls in financial need.

2. *Special measures*

Special measures include the following:

- Establishment of a service for the promotion of girls' education (1989);
- Revision of legislation on contraception;
- Legislation and regulations for the protection of maternity, such as:
  - General regulations of the civil service (maternity leave and hours allowed for breastfeeding);
  - Labour Code (collective agreement);
- Adoption and implementation of an Individual and Family Code which guarantees women's rights;
- Adoption of policies on:
  - Population;
  - Family planning;

- Adoption of Act No. 013/96/ADP on education guidance;
- Adoption of Act No. 33/94/ADP on the Public Health Code;
- Adoption of *Raabo* (Decree) No. AN IV-244/EDUC/IPB introducing population education into school curricula in Burkina Faso;
- Establishment and organization of national committees:
  - Against discrimination (CONALDIS);
  - Against the practice of excision;
  - Against AIDS.

These special measures have had the following impacts:

- Decline in school drop-out rates among girls;
- Motivation of more parents to enrol girls in school;
- Reduction of the gap between boys' and girls' school enrolment rates;
- Alleviation of the financial burden of girls' education for parents;
- Improvement of maternal and child health;
- Decline in unwanted pregnancies and clandestine abortions;
- Improvement of family well-being;
- Appreciable qualitative change in men's attitudes towards methods of contraception.

However, the following difficulties have been encountered in the implementation of these measures:

- Inadequacy of financial and material resources for the acquisition of school supplies in sufficient quantities;
- Reluctance of older persons to oppose the practice of excision;
- Insufficient awareness of the content of the Individual and Family Code.

The measures recommended in the Convention are temporary provisions which could not yet be considered a reversal of discrimination because much remains to be done to bring about real equality of opportunity between men and women in our society.

Article 5: Modification of social and cultural patterns of conduct with a view to eliminating prejudices, customary practices and stereotypes which are based on the idea of the superiority of either sex, and promotion of family life education

Awareness-raising and education are the primary means of complying with the requirements of article 5.

Measures taken by State institutions

- Prohibition of levirate (to improve the living conditions of widows);
- Illegality of dowries (article 244 of the Individual and Family Code);
- Implementation of a project on family well-being and responsible parenthood (BKF/88/P01-EVF).

  The project covers the provinces of Comoé, Bougouriba, Passoré, Nahouri and Boulgou. It is aimed at spreading awareness of family, maternal and child health; family planning; nutrition; sanitation; rational use of resources; and environmental protection;
- Elaboration of a national information-education-communication strategy on population to strengthen actions and skills aimed at effecting qualitative changes in the conduct of population groups, opinion leaders and decision makers;
- Implementation of rural outreach programmes (housekeeping to music, the housewife's shopping basket, women and development, one woman-one occupation, eating well for better living);
- Implementation of programmes of the non-governmental organization ABBEF (Burkina Faso Association for Family Well-Being), which works for the effective exercise and promotion of women's rights through the monitoring of reproductive health;
- Information campaign on the Individual and Family Code: This project, which covers six provinces, is designed to foster a better understanding of the Code's provisions in order to improve its implementation;
- Revision of existing textbooks and training manuals to eliminate gender stereotypes;
- Preparation of a population education handbook for instructors: Population education is integrated into school curricula (natural sciences, social and home economics, history and geography, French, mathematics, philosophy). The combination of these

various disciplines and professional specializations is aimed at the following objectives:

- Acquisition of knowledge, attitudes and values that promote behavioural changes in relation to population problems;
- Application of skills to improve individual and collective quality of life;
- Implementation of a national plan of action to combat the practice of excision by making the population aware of the consequences of practices which are harmful to the health of women and children.

These measures have had the following impacts on the population's social and cultural conduct in relation to issues concerning women:

- Increased awareness concerning women's situation of inferiority to men;
- Changes in behaviour and mentality in relation to population problems (excision, women's rights, family planning, sexually transmitted diseases);
- Improvement of women's living conditions;
- Strengthening of knowledge concerning health, social, nutritional and hygiene issues;
- Alleviation of women's burden of work;
- Decline in the practice of excision in urban areas.

However, despite these more or less satisfactory results in the field, much remains to be done, as enormous difficulties persist, such as:

- Insufficiency of resources to implement all these programmes throughout the national territory;
- Resistance of some population groups to certain innovative measures (efforts to combat excision, implementation of the Individual and Family Code) which affect their religious and customary practices;
- Inadequacy of some health and educational facilities.

Article 6: Suppression of all forms of prostitution and traffic in women

A survey conducted in 1988 by the Ministry for Social Affairs and the Family revealed that there were 1,559 prostitutes between the ages of 15 and 45 in 18 sectors of the city of Ouagadougou, and 3,096 prostitutes in 19 provincial capitals. This demonstrates the extent of the problem nationwide.

Measures:

- 1984: Establishment of an inter-ministerial commission to study prostitution;
- 1985: Establishment of a unit within the Department of Social Rehabilitation to monitor prostitution and to elaborate information, awareness and socio-economic rehabilitation programmes for prostitutes;
- 1986: Promulgation of the Act of 13 April 1946 prohibiting, by decree, soliciting by prostitutes;
- Monitoring of the implementation of the Act of 13 April 1946 penalizing all forms of procuring;
- 24–27 October 1989: Organization of research sessions on strategies for preventing prostitution in Burkina Faso;
- Ratification of the convention of 2 December 1962 on the abolition of prostitution;
- 22 November 1980: Adoption and implementation of strategies to combat soliciting by prostitutes and to prevent minors from frequenting drinking establishments, bars, dance halls and cinemas;
- *Raabo* No. AN VII-000526/FP/SAN-AS/SEAS/MAT of 16 February 1990, establishing a national commission to implement strategies to combat soliciting by prostitutes and to prevent minors in Burkina Faso from frequenting drinking establishments, bars, dance halls, inns, cinemas and theatres;
- Establishment of provincial commissions to implement the strategies;
- 1990: Conduct of a study on prostitution and AIDS, followed in 1991 by leadership training for women with multiple partners (over 1,000 women received training);
- Organization of an awareness-raising and information campaign for the general public and for target groups on the harmful consequences of prostitution and on the regulations in force;
- Organization of sweep operations to enforce the law against soliciting, to identify prostitutes in order to ensure their medical supervision, to involve social services in these operations to make prostitutes aware of the adverse social and health consequences of prostitution and to take custody of minors;
- Implementation of a women's group project to promote the socio-economic rehabilitation of girls and

women (dressmaking, handicrafts, African braiding, baking, wood and coal trading, restaurant work);

- Follow-up visits to certain provinces and gold mines;
- Job placement for some prostitutes;
- Involvement of prostitutes in the various steps taken by the authorities;
- Involvement of prostitutes in certain national events (commemoration of national holidays);
- Organization of a training seminar on family life education (10 prostitutes took part);
- Revision of regulations on hiring in drinking establishments, bars and hotels and on the opening and management of such establishments;
- Elaboration of a proposed national programme to combat soliciting by prostitutes and to prevent minors in Burkina Faso from frequenting leisure establishments, beginning in 1991.

The following should be noted:

- An effective awareness, on the part of the authorities, of the extent of the social problems linked to prostitution;
- The firm intention of the authorities and of the population to combat the increase in prostitution;
- The public's concern about the phenomenon, which is demonstrated by the pertinent suggestions made for the effective implementation of provisions suppressing prostitution and the need to emphasize the complementary measures, in the areas of young people's education and employment, which are needed to eradicate the phenomenon;
- Public participation in the means used to provide information and spread awareness (such as conferences, theatres, forums, talks, broadcasts, printed articles and interviews).

This is demonstrated by the requests for information or conferences on the phenomenon of prostitution and juvenile delinquency received from non-governmental organizations, religious associations, pupils and students. Some groups of pupils and students have even chosen to prepare papers or exposés on these subjects. Also, responses from the public have been received by mail;

- Decline in the number of prostitutes in the major cities;
- Conversion of some prostitutes to other occupations (such as food service or selling articles for women).

On the other hand, the following should also be noted:

- Poor functioning of the provincial commissions owing to a lack of resources;
- Insufficiency of logistical and financial resources;
- Reluctance of some prostitutes to use condoms;
- Poverty and unemployment among girls;
- Lack of adequate means of awareness-raising (audio-visual, etc.), which has affected the implementation of some activities.

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(*a*) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(*b*) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(*c*) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

In Burkina Faso women constitute about 51 per cent of the population. Their participation in political and public life is very limited, however. Since 1983, efforts have been made to increase this participation.

Number of ambassadors of Burkina Faso abroad, by sex, between 1980 and the present (1996)

Years	*Women*	*Men*
1980	0	19
1985	1	18
1994	2	19

Source: Ministry of Foreign Affairs

(The year 1997 was not taken into account in drawing up this report.)

Number of women high commissioners and mayors

	High Commissioners		*Mayors*	
Years	*Men*	*Women*	*Men*	*Women*
1985–1987	24	6	106	2
1987–1993	25	5	89	19
1994	30	0	89	19

Source: Ministry of Territorial Administration

Number of deputies during the parliamentary regimes in Burkina Faso, by sex

Deputies	*1978*	*per cent*	*1992*	*per cent*
Men	56	98.25	103	96.27
Women	1	1.75	4	3.73
Total	**57**	**100.00**	**107**	**100.00**

Participation of women in the highest State functions

	Ministers		*Deputy Ministers*		*Ambassadors*		*Secretaries-General*	
Years	*Men*	*Women*	*Men*	*Women*	*Men*	*Women*	*Men*	*Women*
1980	15	1			19	—	16	—
1985	19	3			18	1	21	1
1994	20	2	2	1	19	2	20	2

Source: The data for the years 1980 to 1985 are taken from "*Nos Gouvernants*" by Jean Baptiste Kinane (Keeper of Archives).

For the year 1994: Decree No. 93-276/PRES/PM on the reorganization of the Government of Burkina Faso.

In 1987 there were:

Five (5) women ministers: the Ministers of Public Health, Family Welfare and National Solidarity, Environment and Tourism, Budget and Culture;

Three (3) high commissioners and several prefects;

Five (5) ambassadors to China the Federal Republic of Germany, Ghana, Mali and Nigeria.

From 1988 to 1990 there were:

Five (5) women, respectively, heading the Ministries of Financial Resources, Trade and Public Supply, Primary Education and Mass Literacy, Information and Culture;

One woman high commissioner in the province of Kadiogo (Ouagadougou, capital of Burkina Faso);

One woman ambassador of Burkina Faso to Denmark.

Several women heading major State offices and services and, finally, women elected to the position of alternates to the National Union of the Elderly of Burkina Faso (UNAB), the National Union of Young People of Burkina Faso (UNJB) and the provincial revolutionary authorities. At the same time, the Department for the Mobilization and Organization of Women was established in 1984. The action undertaken by this political department within the National Secretariat for the Committees for the Defence of the Revolution in 1984 led to the establishment of the Union of Women of Burkina Faso (UFB) on 19 September 1985. This structure is intended to mobilize Burkina Faso women and heighten their economic and social awareness.

The participation of women in the Government was at its highest level in 1987; currently, their numbers have been reduced considerably.

At present, there is one woman in the post of Secretary-General of a Ministry (the Ministry of Social Affairs and the Family, and a woman head of cabinet in the Ministry of Foreign Affairs).

Following the legislative elections in May 1991, the electorate sent to the Assembly of People's Deputies four (4) women out of 107 Deputies.

After the municipal elections of 12 February 1995, of the 108 elected in the national territory, only nineteen (19) were women. In the political arena, there were two women heading political parties. There is also a woman Vice-President of the Supreme Court.

Lastly, women have been appointed to head administrative districts and local collectives, and to the post of prefect and high commissioner (five in 1993). However, their proportion compared with men remains minuscule.

At the same time, many non-governmental women's organizations and associations (about 100) exist in Burkina Faso and are active in various fields: political, economic, social, research and training.

All these associations work in close collaboration with the Ministry of Social Affairs and the Family through a coordination committee consisting of 16 members.

Alongside this collective action by women, it should be noted that women participate individually in the activities of many other non-governmental organizations. Women are greatly in demand during election campaigns, but in civic management their numbers are declining. They remain

passive in these situations, often because of a lack of confidence in themselves.

It may be said that in Burkina Faso the presence of women in the various decision-making bodies, although very low, is on the increase, thereby reflecting a clear growth of awareness.

Women are found at the executive level, in the legislature, in diplomacy, representative bodies, etc.

Year	*Posts*	*Women*	*Men*
1996	High commissioners	2	28
	Secretaries General	1	29

Some obstacles remain to be overcome, however:

The weight of tradition;

The perpetuation of traditions and customs in the education of children;

Lack of solidarity among women;

Subtle discrimination in electoral lists;

Lack of motivation; moreover, because of their role as wife, mother and housekeeper, women do not have the same opportunities for access to formal education as men.

In the future, incentives need to be introduced to encourage education, awareness-building and the participation of women in political life.

(c) Freedom of association is recognized by *Zatu* AN VII-0024/FP/PRES/90, replaced by Act No. 92/ADP of 15 December 1992 on freedom of association.

Women are very active; there are more women's associations than men's. For example, there were 2,972 women's village groups and 1,412 men's village groups out of a total of 10,627 in 1994. Women also participate in the trade union movement and there is even a woman in charge of a trade union central office.

In the future, the establishment of a mechanism for the coordination of women's associations and non-governmental organizations, and the training and sensitization of women in public and political life are envisaged.

The Ministry of Social Affairs and the Family has established a liaison service with women's associations and non-governmental organizations within the Department for the Promotion of the Family, which is responsible for establishing and facilitating contact between the Ministry and women's associations and making available to them information which is useful for their activities.

Summary record of the Council of Ministers of 24 July 1996 in "l'Observateur Paalga" No. 4209 XXI – number of women high commissioners of provinces: two (Bazèga – Nahouri).

Secretaries General of provinces and prefects of provincial capitals: three (Bam, Kongoussi – Sanguié – Réo – Zoundwéogo, Manga).

cf. *Sidwaya* of 1 August 1996 No. 3066, 12th year.

- Women appointed as Secretaries General of provinces: one (Kadiogo);
- Women appointed as prefects of departments: six Sily (Balé), Baskouré-Téoghin (Kouritenga) Wolonkoto (Léraba) Zecco (Nahouri) Bassi (Zoudoma).

Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Just as the participation of women in the political life of Burkina Faso is small, their presence in international organizations and in diplomatic and consular offices is insignificant.

Indeed, Burkina Faso has:

- One women head of ACCT (the Agency for Cultural and Technical Cooperation);
- One woman local representative of the Air Afrique company;
- One woman in the African Postal Union;
- One woman on the United Nations Committee on the Elimination of Discrimination against Women;
- One woman on the Committee on the Rights of the Child;
- One woman on the Board of Trustees of the International Research and Training Institute for the Advancement of Women (INSTRAW);
- Women ambassadors, whose number has fallen from five to three since 1983.

The national delegation of Burkina Faso to the annual sessions of the United Nations General Assembly rarely includes women. Here it may be noted that it would be

desirable for female representation in these international bodies to be increased. This low overall participation of women results from two factors: first, the presence of Burkina Faso nationals in international organizations is not very conspicuous even though Burkina Faso is often up to date with its contributions.

In resolutions of the Annual Conference on Public Administration (CAAP) it has been proposed that the number of Burkina Faso nationals in international bodies should be increased, but these results are not yet visible.

Second, when posts fall vacant, or revert to Burkina Faso, they are often occupied by men, to the detriment of women.

By way of obstacles, one may note:

Shortcomings in the follow-up and placement of candidates;

A persistence of socio-cultural influences;

A lack of validation of national skills;

A low level of determination in women.

In the future, the following are envisaged:

Validation of national expertise;

Establishment of a structure for sponsoring candidates to international posts; and

Establishment of a data bank on expertise.

Article 9: Nationality

The Individual and Family Code grants women equal rights with men with respect to nationality.

The regulations governing acquisition and loss of nationality are the same for men and for women.

(1) The nationality of Burkina Faso is acquired either by birth and residence in Burkina Faso, or by marriage, by declaration or by decision of the Government.

(2) Nationality is lost in the following cases: (articles 186 ff. of the Individual and Family Code):

- Renunciation of Burkina Faso nationality;
- Judicial sentence; or
- Cancellation of naturalization documents.

The Code allows a woman from Burkina Faso married to an alien to retain her nationality unless she renounces it before the marriage is performed (article 188).

The husband's loss of nationality shall not affect his wife and children.

Article 10: Ensure women equal rights with men in the field of education

The school enrolment rate in Burkina Faso - 37.7 per cent in 1995–1996 – remains one of the lowest in the world.

Education policies and systems adopted since independence have proved to be inadequate, selective and discriminatory. In 1995, girls accounted for approximately 28.55 per cent of the total school-age population and boys for 42.51 per cent.

Similarly, the literacy rate – approximately 20 per cent – is far from satisfactory. Illiteracy is increasingly widespread among women, particularly in the rural areas.

In view of this situation, Burkina Faso has launched measures and programmes with the support of its development partners, such as the World Bank, certain specialized agencies of the United Nations (including the United Nations Children's Fund (UNICEF) and the United Nations Population Fund (UNFPA)), friendly countries, associations and non-governmental organizations, with a view to correcting the disparities between girls and boys on the one hand, and between men and women on the other.

Measures and programmes

(a) Formal system

- Organization of a number of national seminars and workshops:
  - In Koudougou in 1992 on the concept of basic education;
  - In Ouahigouya in 1993 on private education;
  - In Goundi in 1990 on the education of girls;
  - On technical and vocational training;
  - In Bobo in 1996 on post-primary education; and
  - In Ouaga in 1997 on the training of social agents in family life education (EVF);
- All these seminars facilitated the holding of a general conference on education in September 1994;
- Adoption of Act No. 013/96/ADP of 9 May 1996 on education policy, whose article 2 provides that "all citizens have the right to receive an education without discrimination on the grounds of sex, social origin, race or religion ...";
- In order to increase women's role in administering the schools and assign them responsibility in that connection, two provinces (Sanguié and Sissili) are experimenting with an innovation, namely, the

introduction of Mothers' Educational Associations (AMEs) in the schools.

Programmes and plans of action in Burkina Faso include:

- Since 1989, the elaboration and implementation of a national plan of action to promote female school enrolment;
- An experiment in 10 provinces of Burkina Faso (Gnagna, Gourma, Kadiogo, Sanguié, Comoé, Soum, Sanmatenga, Namentenga, Zoundwéogo, Poni) involving a satellite school project designed to increase educational opportunities for girls by requiring parity between girls and boys at the time of recruitment;
- The elaboration and implementation of a broad academic curriculum for the period 1990–1997, within the framework of the Education IV project, aimed at, *inter alia*, increasing educational opportunities, improving the quality of education and building capacities to administer educational services;
- The implementation of a number of Population Education Programmes (EMPs) and programmes on information, education and communication and family life education (EVF);
- The elaboration and introduction of an educational programme on social and home economics in the secondary schools;
- The establishment of public day care centres; and
- The adaptation of school textbooks to the country's socio-economic realities and to changes in attitudes, with a view to combating biased stereotypes against women.

(b) Non-formal system

The non-formal system covers literacy campaigns and adult and adolescent education. In order to enhance the status of women, particularly in the rural areas, a number of measures and actions are being implemented, including:

- Establishment of the National Literacy Institute (INA) in 1983 for the codification of national languages and the coordination of all literacy activities;
- Implementation of a number of literacy campaigns, particularly "Alpha Commando" in 1986 and "Operation Bantaaré" in 1988, which were able to reach 4,000 and 17,000 women, respectively, for a total of 21,000;
- Introduction, in 1989, of the strategy to promote permanent literacy and training centres (CPAF);
- Implementation of the project for non-formal basic education centres (CEBNF) in conjunction with the satellite schools in 10 provinces. Designed for young people from 10 to 15 years of age, particularly girls who have never attended school or are school drop-outs, these centres provide education and preliminary vocational training;
- Implementation of the "Operation ZANU" project, which is a broad programme of literacy-based community activities;
- Implementation of a Population Education Programme (EMP) for rural youth. To this end, EMP curricula and teaching materials have been elaborated and trainers and teachers have received instruction in EMP;
- Introduction of a number of national associations and non-governmental organizations (including the Widows' and Orphans' Association; the Burkina Faso Human and Peoples' Rights Movement; the Network for the Defence of Rights and the Prevention of Violence against Women; the RECIF/non-governmental organization; and the women communicators' association).

All these measures and actions have had some impact on the improvement of the living conditions of women and girls, namely:

- A steady increase in the female enrolment rate, which was 23.55 per cent in 1991 and 28.55 per cent in 1995;
- A significant decline in the drop-out rate among primary schoolgirls;
- Parents' genuine motivation to enrol their girls in school;
- Sensitization of mothers, through AMEs (Mothers' Educational Associations), to scholastic problems, particularly those of girls; and
- Recruitment by the satellite schools of 601 girls for the 1995–1996 academic year, representing 48.82 per cent of the 1,231 pupils enrolled in 30 such schools;
- In 1995, out of 145,035 students, 46,559 women were declared literate, representing a rate of 45.33 per cent.

The implementation of measures and programmes has undeniably encountered a number of difficulties, including:

- Persistence of certain customary and religious practices detrimental to women (including levirate, forced marriage and excision);

- Girls' domestic and household burdens which prevent them from studying properly and performing satisfactorily;
- Reluctance to educate girls in certain milieux for stereotypical socio-cultural reasons (a girl is supposed to leave her father's house to marry);
- Inadequacy of financial and technical resources to ensure the continuity of projects and programmes;
- Scarcity of resources available to grass-roots communities which makes it impossible to finance recurring educational costs;
- High cost of education, both to the Government and to households;
- Underqualification of some teachers, which has a negative impact on pupils', particularly girl pupils', success rate.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(*a*) The right to work as an inalienable right of all human beings;

(*b*) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

(*c*) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

(*d*) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

(*e*) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

(*f*) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(*a*) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

(*b*) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

(*c*) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

(*d*) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

The situation of women in Burkina Faso is greatly influenced by the fact that existing legislation is inappropriate and that they are over burdened with work and lacking in means. The general population census of 1985 (INSD) reported that 93.3 per cent of the female working population was engaged in agriculture, stockraising and fishing and 0.05 per cent in business and handicrafts. According to the 1995 priority survey into household living conditions (INSD), 90.1 per cent of the female working population is engaged in agriculture, stockraising and fishing, and 6.7 per cent in business and sales.

There is a slightly higher proportion of men than women in the working population as indicated by the ratio of 107 men to 100 women. The proportion of people who work is much greater in rural areas (87.9 per cent) than in urban areas (12.1 per cent). Moreover in urban areas the working population is mostly male (63.5 per cent), whereas in rural areas there is an almost equal number of men and women.

1 (*a*): The principle of equal rights between men and women in respect of work or employment is affirmed in:

- The Constitution;
- The civil service regulations governing State employees; and

- The labour legislation as reflected in the Labour code and the Social Security Code for private employment.

Burkina Faso has also signed many conventions including those adopted under the auspices of the International Labour Organization and those dealing with the political rights of women.

In theory, all these texts establish that men and women are equal in respect of the search for employment. They organize the function and give direction within the context of the country's economic and social development.

At the same time it will be seen that, in practice, when it comes to the recruitment of women in the private sector, women have very few opportunities in the working world because of discrimination.

This is true in the public sector where women account for 16,686 of the 91,401 wage earners (18.3 per cent). A breakdown of employees according to sex reveals that women occupy middle management categories such as secretaries, office workers, teachers and nurses. There are very few women at the senior management level – according to the 1994 priority survey on household living conditions, they account for only 12.8 per cent at the professional level. Girls consider higher studies "too long".

The proportion of women in the private sector is almost the same as in the public sector, for 14,170 out of the 77,517 employees in the private sector are women. However, here the discrimination is justified, because the need to make a profit and to be able to plan ahead prompts employers to prefer men over women because women face the problem of child-bearing which causes them to be unstable and less available.

It should, however, be noted that attitudes towards women in the work force have been changing in recent years, as demonstrated by the fact that:

- There are women in certain traditionally male professions (women make up 3.6 per cent of personnel in the armed and police forces, cf. EMP, 1994);
- In the civil service women are being hired to fill jobs traditionally reserved for men. For example, in 1987 there were 4 female mechanics, 82 bricklayers, several women messengers, several motorcycle policewomen and 30 female chauffeurs;
- Women are being recruited in factories;
- Some gas station attendants are women.

However, the employment sector remains the least accessible to women.

Despite all these efforts there are still a number of constraints such as:

- Women's low educational level;
- Women's lack of assurance or self-confidence;
- Socio-cultural difficulties:
  - Women's social status;
  - The specific conditions relating to child-bearing; and
  - The shortage and high cost of technical training centres.

In order to overcome these constraints it is necessary to emphasize information, consciousness-raising and ability to undertake certain activities.

At the same time, ignorance and inadequate implementation of the texts are also obstacles.

In order to deal with this problem it will be necessary to focus efforts on:

- Organizing consciousness-raising and information campaigns especially through the media;
- Translating these texts into the different national languages.

1 (*b*) and (*c*): In addition to the texts mentioned in paragraph (a) above, there are programmes to help women gain access to employment; they include:

- "1,000 girls" project in Sourou; it gives interested girls an opportunity to be trained in the area of agriculture, stockraising, handicrafts and literacy. This project is in line with the six commitments of the head of State;
- Various training programmes for family aides have been started, the goal being to provide trained personnel and at the same time to enable women to have some free time. The first class of 37 young women graduated from the centre in June; all have been placed in families;
- In line with the slogan "let us produce and consume products made in Burkina Faso", small-scale women's production units have been set up and are continuing their activities; some are even independently managed. This is true of UAP GODE, a small-scale unit of some 30 weavers, which produces and markets Faso Dan Fani material and the TOME small-scale production unit, consisting of some 36 women, which processes and cans local produce (tomatoes, grains and fruits);

- The master plan for the promotion of handicrafts supports women's handicrafts activities by providing training, further training and supplies and by marketing products;
- The "6S" with the NAAM group, which process and can local produce.

1 (*d*), (*e*) and (*f*): The right to equal wages and treatment for equal working conditions, skills and productivity is recognized for all, irrespective of origin, gender or status.

In the public sector the general regulations governing the civil service establish a salary scale according to grade.

In the private sector, the guaranteed minimum interprofessional wage and, where appropriate, the seniority and merit bonuses are set by decree of the Council of Ministers upon consultation with the consultative commission for labour.

Workers may only be fined if the legislation provides for such punishment. For personnel governed by the general regulations of the civil service, the retirement age is set at 55 years for senior and middle management, and 54 and 53 years for lower ranks.

The right to social security, retirement benefits and to paid holidays is recognized.

In rural areas there is no social security for agricultural workers even though they make up a sizeable proportion of the working population. Although the right to social security is recognized, it should be noted that this right is not fully ensured. In the civil service the costs relating to childbirth and medical care are primarily covered by the workers.

Women wage-earners earn 30,000 to 50,000 CFA francs a month, on average (statistics from CENATRIN). They account for 49.5 per cent of the staff in the Department of Health and Social Welfare, whereas in other departments they account for just 30 per cent of the staff.

Furthermore, there are projects and services which offer social benefits and which carry out programmes and projects of benefit to women:

- The "Individual and Family Code" project for family well-being currently covers six provinces out of 30 and is designed to raise consciousness and to inform the population about the Code. The Code is very progressive;
- The project "family well-being and responsible parenting", which is designed to change outlooks by raising people's awareness about family planning, health and child care;
- Family life education (EVF);
- Burkina Faso Association for Family Well-Being (ABBEF).

Despite the enormous efforts being made there are some constraints:

- Lack of information concerning the situation of women in these areas;
- Unawareness of the texts;
- Unawareness of the social protection system;
- Inadequacy of the social protection programmes and structures;
- Inaccessibility of structures.

Accordingly, it would be a good idea to:

- Develop social policy in Burkina Faso;
- Inform women about the texts and raise their consciousness;
- Expand the social protection programmes, structures and decentralize them to the local level.

2 (*a*) (*b*) and (*d*): Paid holidays are earned at the rate of two and a half working days per month of effective service after one year. However, in case of more favourable provisions accorded by collective bargaining agreements or an individual contract, the latter shall prevail.

Women must have at least 11 consecutive hours of rest per day.

A pregnant woman is entitled to 14 weeks' maternity leave, of which no more than 8 weeks and no less than 4 weeks shall be taken before her estimated due date.

Upon returning to work she shall be entitled to breast-feeding breaks totalling one and a half hours a day for 15 months.

As regards social security, a woman shall be entitled to delivery costs, medical care and an allowance for the duration of maternity leave payable by the National Social Security Fund, provided that she has contributed to the social security scheme.

Some difficulties are being encountered with the implementation of these texts and measures due to various factors, including the following:

- The existence of conflicting texts;

- The profitability of private enterprise in relation to women's work.

Accordingly, consideration may be given to the following actions:

- Raising the population's consciousness to the gender approach;
- Re-energizing the labour inspections;
- Adopting incentives, such as tax exemptions, texts and so forth, for enterprises with women employees.

2 (*c*): Different programmes and projects have been established to enable women to combine their family and professional responsibilities while also participating in public life. They include:

- Creation of 76 community day-care facilities, of which 16 will be seasonal;
- The reproductive health programme (under ABBEF);
- The family life education (EVF);
- Provision of appropriate technologies to village women's groups and women's cooperatives.

Notwithstanding the establishment of these programmes there are constraints relating to:

- Women's illiteracy;
- Lack of means (material, human and financial);
- Socio-cultural difficulties.

In future, efforts will focus on:

- Training for women;
- Extending consciousness-raising projects and impact studies;
- Harmonizing approaches; and
- Establishing informal community day-care facilities.

Article 12: Measures taken to eliminate discrimination against women in the area of health care

Burkina Faso is one of the poorest countries in the world. According to the UNDP Human Development Report 1993, Burkina Faso occupies 170th place among 173 nations.

The health of the population is extremely precarious. The high infant and maternal mortality rates are largely attributable to infectious diseases, poor hygiene, malnutrition, inadequate health infrastructure and the high cost of health care despite a policy of providing basic generic medicines.

Analysis of the situation:

According to estimates,

- 40 per cent of pregnant women benefit from health-care services;
- 10 per cent of children aged 0 to 5 years benefit from health-care services;
- 42 per cent of births are assisted by medical workers;
- 42 per cent of pregnant women do not receive prenatal care;
- 36 per cent of women are not vaccinated against tetanus;
- The contraception rate is 8 per cent, with a difference between towns and rural areas;
- The maternal mortality rate is very high:

  610 per 100,000 live births in 1985 and 566 per 100,000 live births in 1991;

- The infant mortality rate stands at 115 per 1,000.

The high incidence of maternal mortality is attributable to the persistence of the principal causes of maternal death, namely, haemorrhages, infections, difficult or prolonged childbirth, abortion and anaemia.

Childbirth

Table No. 1

Breakdown by percentage of women who have given birth during the last five years (1989–1993), according to the location and area of residence

Location of birth	*Urban*	*Rural*	*Both*
Hospital or maternity ward	87.4	35.5	50.1
Home or parent's home	9.5	62.2	47.4
Other locations	3.1	2.3	2.5
Total	**100.0**	**100.0**	**100.0**

Source: National Institute of Statistics and Demography (INSD), December 1993

Despite efforts undertaken by the authorities and the various partners to improve the health of mothers and children, problems persist in the areas of health services and

the health of mothers and children. The health of the population, and especially that of mothers and children, is a matter of deep concern.

Measures and programmes

National health-care policy is currently based on principles defined in the Bamako Initiative, whose target is total coverage by the year 2000.

It emphasizes the promotion of primary health care through programmes designed, *inter alia*, to:

(1) Mobilize community participation;

(2) Improve training for health-care workers;

(3) Create the necessary conditions for better health management;

(4) Improve the quality of care in health-care centres.

Among the principal measures are:

1. Act No. 23/94/ADP, which contains the public health code and provides for obligatory health measures throughout the national territory concerning, *inter alia*:

- The campaign against sexually transmitted diseases and AIDS;
- Specific health measures with regard to:

  Health protection for the family and for children (health care for mothers and children);

  Family planning;

  Abortion and abortifacients;

  Prevention of nutritional deficiencies.

2. National Mother and Child Care Programme (1994–1998).

The goal of this programme is to promote the health of mothers and children. It aims to reduce the maternal mortality rate (from 566 to 300 per 10,000) and the infant mortality rate (from 115 to 70 per 1,000).

3. Health and Nutrition Development Programme (PDSN) (launched on 27 July 1994 at Bobo-Dioulasso).

The elements of PDSN are:

- Improving coverage, quality and use of basic services;
- Reducing deficiencies of micronutrients (iodine, vitamin A, iron);
- Controlling endemic illnesses and maintaining that control;
- Strengthening the Ministry of Health.

4. National Nutrition and Food Programme (PNNA).

This programme is designed to provide nutritional care to socially and economically disadvantaged and vulnerable persons (young children, nursing or pregnant mothers, widows).

5. Complementary nutritional programme for vulnerable groups.

BKF 0495900, funded by the World Food Programme

Immediate goals:

- To contribute to nutritional recovery;
- To encourage pregnant women and nursing mothers, considered high-risk groups, to make regular visits to health facilities;
- To enhance nutrition in households by distributing food to:
  - 22,050 malnourished children;
  - 8,830 pregnant women and nursing mothers;
  - 1,640 *femme accompagnantes* (women family members or friends who accompany the sick).

6. Establishment of model clinics and information and guidance centres for young people, especially girls.

7. Implementation of the government policy of Burkina Faso, in accordance with article 20 of Decree No. 92-66/PRES/PM/92 with regard to the following programmes:

- Health protection for mothers and children;
- Social protection of families, children and young people, and of disabled, maladjusted and disadvantaged persons;
- Implementation of education and training programmes for women in rural and urban environments, in collaboration with the concerned technical ministries;
- Social protection of women;
- Social promotion of individuals, populations, groups and families;
- Establishment of a Family Health Office under Decree No. 92-214/PRES/PM/SASF of 24 August 1992, whose role is to coordinate and supervise programmes related to mother-and-child health protection, family planning, nutrition and vaccination;
- Implementation of training programmes for traditional midwives within the context of improving women's health;

- Establishment of a health service for young people (Family Health Office).

(1) Project BKF92/P07, entitled "Support for the promotion of self-managed social health programmes in rural environments". This project had three phases during the period 1983 to 1995. It was designed to encourage self-help on the part of rural dwellers in the social, economic and health areas, and to develop programmes contributing to the advancement and promotion of women through:

- Coverage of 10 provinces and 519 villages;
- Establishment of 40 maternity shelters and 311 solidarity funds;
- Acquisition of 300 health kits;
- Management of community health workers;
- Recruitment and training of 519 health organizers and 600 midwives from among village women;
- Establishment of a standard system for the collection and technical analysis of demographical and social health data at the village level.

Difficulties

- Lack of financial resources;
- Shortage of material and human resources;
- Male reluctance to use contraceptives;
- Weak skill levels among health workers;
- Inadequate literacy levels of health workers and among the population;
- Lack of motivation among health workers;
- Lack of trust of women health teachers;
- Mass departure of women health teachers from the BKF/92/P07 programme;
- Awareness concerning the management and improvement of community benefits.

Impact

The following results have been noted:

- An improvement in the health of women resulting in a decrease in maternal and infant mortality;
- A decrease in the abortion rate;
- An improvement in birth spacing.

Expectations

- Enhancement of women's skills, and the political and economic empowerment of women;
- Standard use of the Population Education Programme (EMP) at the three educational levels by the year 2000;
- Wide dissemination of legal and judicial texts ensuring the protection of the rights of women by the year 2000 throughout the country;
- Total abolition of excision and levirate by around the year 2005;
- Support for investments by women in the production of documents, films and dramatic works about the advancement of women in Burkina Faso;
- Literacy campaigns to be conducted by non-governmental organizations and associations in support of national programmes;
- Training women to manage social and economic activities;
- Establishment of enforcement measures to combat violence against women;
- Development of forestry with a view to improving the nutrition and health of women;
- Training of women in forestry with a view to increasing their income;
- Support to women in the processing of fish products;
- Expansion into 45 provinces of the project "Support for the promotion of self-managed social health programmes in rural environments";
- Expansion of the training of women and of women health organizers in family-living education;
- From 1997, the development of national policy in the areas of:

  Family Life Education (EVF);

  Social protection of the family;

  Social and economic advancement of women;
- Establishment of EVF and family rights information centres;
- Establishment of a small-scale operating theatre suite for repairing the effects of excision;

Table No. 2

Trends in the number of girl pupils and their enrolment rate for the period 1990–1995 in comparison to boys

Academic years	*Female school-age population*	*Number of girls enrolled in school*	*Enrolment rate of girls*	*Male school-age population*	*Number of boys enrolled in school*	*Enrolment rate of boys*	*Total number of pupils enrolled in school*	*Percentage of girls out of total enrolment*
1990–1991	822 321	193 652	23.55%	859 912	310 762	36.14%	504 414	38.39
1991–1992	844 336	205 295	24.31%	882 904	324 716	36.73%	530 011	38.73
1992–1993	867 109	218 396	25.20%	906 676	344 248	38.00%	562 644	38.80
1993–1994	867 109	233 806	26.96%	906 676	366 226	40.39%	600 032	38.97
1994–1995	890 672	254 284	28.55%	931 260	395 911	42.51%	650 195	39.11

Source: School statistics from the Ministry of Basic Education and Literacy (1990–1995) (DEP/MEBA).

N.B. The data in this table reflect the effort to increase female enrolment, which must be doubled in order to correct the disparity between boys and girls.

Table No. 3

Enrolment in the satellite schools (ES) 1996

Number	*Provinces*	*Number of schools*	*Number of classes*	*Enrolment*			*Percentage of girls out of total enrolment*	*Remarks*
				Boys	*Girls*	*Total*		
01	Comoé	05	05	94	109	203	53.69	
02	Gnagna	03	03	74	36	110	32.72	
03	Gourma	02	02	45	35	80	43.75	
04	Kadiogo	02	02	38	38	76	50.00	
05	Namentenga	—	—	—	—	—	—	
06	Poni	03	03	60	58	118	49.15	
07	Sanmatenga	—	—	—	—	—	—	
08	Sanguié	10	10	217	218	435	50.11	
09	Soum	—	—	—	—	—	—	
10	Zoundwéogo	05	05	102	107	209	51.19	
	Total for all provinces	**30**	**30**	**630**	**601**	**1 231**	**48.82**	

Source: Project ES/CEBNF-DEP/MEBA.

N.B. As the satellite schools have just been established, the number of schools is equal to the number of classes.

Table No. 4
Enrolment in non-formal basic education centres (CEBNF) (1996)

Number	*Provinces*	*Number of schools*	*Number of classes*	*Enrolment*			*Percentage of girls out of total enrolment*	*Remarks*
				Boys	*Girls*	*Total*		
01	Comoé	05	05	78	90	168	53.57	
02	Gnagna	—	—	—	—	—	—	
03	Gourma	02	02	22	10	32	31.25	
04	Kadiogo	03	03	44	42	86	48.83	
05	Namentenga	05	05	82	65	147	44.21	
06	Poni	03	03	49	39	88	44.31	
07	Sanmatenga	05	05	80	75	155	48.38	
08	Sanguié	02	02	31	36	67	53.73	
09	Soum	03	03	35	34	69	49.27	
10	Zoundwéogo	—	—	—	—	—	—	
	Total for all provinces	**28**	**28**	**421**	**391**	**812**	**48.15**	

Source: Project ES/CEBNF-DEP/MEBA

- Adoption of legislative texts criminalizing the practice of excision within two years;
- Creation of a data bank concerning the problems of excision, social exclusion and all other forms of violence against women;
- Support for women in the management of household waste, especially in urban environments;
- Development of a national health programme for young people, especially girls;
- Support for Mothers' Educational Associations (AMEs), which promote school enrolment among girls and the advancement of girls.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;

(b) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all aspects of cultural life.

Women participate at all levels in the development of the national economy. In order to be profitable, however, these activities require further sustained efforts in both the technical and financial areas to ensure lasting overall development.

Their situation is still heavily influenced by an inappropriate legal status, an excessive workload and a lack of means.

(a) The right to family benefits is recognized and applies only to wage-earners, who represent only 3 per cent of the working population. It should also be pointed out that there is no social security system in rural areas.

Family allowances, which range from 1,000 CFA francs to 3,000 CFA francs depending on the institutions involved, are generally provided to fathers, who administer them as they see fit.

The National Social Security Fund (CNSS) provided the following information on the growth in the number of beneficiaries and that of beneficiaries' wives.

Year	*1980*	*1985*	*1989*	*1990*	*1993*
Number of beneficiaries	25 406	28 965	33 930	36 045	39 246
Number of beneficiaries' wives	27 688	30 390	36 045	37 347	40 578

Source: National Institute of Statistics and Demography (INSD)

This indicates a major constraint: the lack of other social benefits apart from family allowances.

Particular emphasis should be placed on:

- Creating other benefits, such as those relating to women's health and childbirth;
- Raising the rates for family allowances.

(b) There have always been obstacles impeding women's access to financial resources. Banking institutions regard women as risky clients because they have no property to offer as collateral for loans.

Bank and mortgage loans are provided to men and women who meet the collateral requirements established by financial institutions. These requirements are essentially based on possession of a title deed, which is above all the prerogative of men. This situation therefore limits women's access to substantial bank loans and forces them to resort to more modest forms of credit, which entail considerable costs.

In order to overcome this situation, a number of steps have been taken through programmes such as "operation 1000 mills", "500 karité presses" and the "wood-energy" programme, which are all under way.

The State and non-governmental organizations have set up other systems which are less restricting (reasonable interest rates, flexible loan guarantees) in order to enable women to have easier access to credit.

The State established in September 1990 the Support Fund for Women's Gainful Activities (FAARF). The Fund grants loans under very flexible conditions and provides training in administering businesses in order to ensure better management of activities. The recipients are for the most part engaged in the informal sector and include both individuals and groups.

From 1991 to 1993, the Fund was active in only 3 of the 30 provinces. During this period, more than 125 million CFA francs in loans were granted to 31 women's village groups and 2,166 individual clients. The individual loans represented 89.42 per cent of the overall budget at the time.

The Fund began to expand during the last quarter of 1994. Since 1995, it has been operating in all the provinces of Burkina Faso (see table annexed).

The National Agricultural Loan Office also has a special line of credit for women.

In terms of associations and non-governmental organizations, there are 97 savings and loan cooperatives, whose interest rates increased from 6.5 per cent in 1987 to 10 per cent in 1996. Recipients must be members of the Fund and provide collateral in kind (goods or movable property) or in cash (have a savings account with the Fund or provide a third of the amount requested). They are both individuals as well as legal entities and operate for the most part in the informal sector.

There is also a union of people's funds, part of whose services are intended for the poorest women with children under five years of age in accordance with a loan/savings/education approach supported by UNICEF.

The Regional People's Funds Union of the Central Plateau (URCPC) began operations in 1987. As of 20 February 1996, it had granted a total of 2,661 loans amounting to 1,097 billion CFA francs. Its 43,233 members include 13,630 women and 2,904 legal entities. The proportion of participating women among the entire membership is 32 per cent.

There are certain obstacles such as:

- The banking institutions' high interest rates;
- Lack of funds;
- Difficulties preventing women from obtaining bank guarantees;
- Lack of creativity and competitiveness on the part of women;
- The use of loans for purposes other than those initially intended.

Accordingly, efforts should focus on:

- Setting up a mechanism to support women's remunerative activities;
- Establishing a collateral fund;
- Improving interest rates;
- Establishing a company with venture capital;
- Providing financing to women entrepreneurs;
- Training in project design, development and management and in marketing.

Situation regarding loans granted according to year

		Individual loans		*Group loans*		*Loans for young graduates*		
Year	*Province number*	*Number*	*Amount*	*Number*	*Amount*	*Number*	*Amount*	*Total*
1991	2	761	35 535 000	10	4 400 000	—	—	39 953 000
1992	1	822	42 695 000	9	4 300 000	—	—	46 995 000
1993	3	583	34 210 000	12	4 607 500	—	—	38 817 500
1994	9	279	23 170 000	61	25 836 500	—	—	49 572 720
1995	25	1 916	84 390 000	566	257 294 350	SME:2	450 000	342 134 350
1–31 May 1996	30	394	23 345 000	616	313 785 650			313 785 650

Characteristics of clients in the informal sector	
Married women	86.15 per cent
Divorced women	2.69 per cent
Widows	8.43 per cent
Unmarried women	2.72 per cent
Illiteracy	93.5 per cent
Primary education	4.13 per cent
Secondary education	2.29 per cent
Higher education	0.06 per cent
Average number of children	5

(c) With regard to participation in recreational activities, sports and all aspects of cultural life, it should be pointed out that women are very active in all areas of sports, particularly volleyball, handball and basketball, where there are female junior teams.

The president of the volleyball federation is a woman. Each year the federation organizes a championship and a volleyball cup for clubs. Boys as well as girls are given the same opportunities to engage in various types of sports and receive training from physical education teachers at the National Sports Institute.

Burkina Faso has:

- Approximately 10 women film makers (camera technicians, film editors and directors);
- A national union of women film professionals;
- More than 50 women's troupes out of 200.

The major obstacles are:

- Social and cultural constraints;
- An excessive amount of work;
- A lack of structures.

The following steps are to be considered:

- Establishing adequate structures;
- Drawing up support, follow-up and evaluation programmes;
- Alleviating of the work carried out by women.

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate health care facilities, including information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, *inter alia*, the benefit of all community and extension services, in order to increase their technical proficiency;

(e) To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Paragraphs 1 and 2 (b), (f) and (g)

In Burkina Faso, rural women account for 44.11 per cent of the population. In 1985, 93.48 per cent of employed women worked in a rural environment; this percentage fell to 90.1 per cent in 1995.

Despite their importance, rural women are limited in their daily activities.

- Access to land: the land tenure system in Burkina Faso is still primarily communal and women, owing to their status, do not own land; even the land on which a woman tills her own field does not belong to her.
- Access to credit: because rural women do not own land or any other property, they have no collateral to offer in exchange for a loan. For this reason, many types of loans are not available to women, whom banks consider a credit risk.

Rural women in Burkina Faso have early pregnancies (60 per cent of all births are to adolescent women – INSD), and extremely closely-spaced and late (until menopause) pregnancies. Two of every five births take place in the absence of qualified medical assistance. Rural women are malnourished and often physically exhausted (owing to their many hours of work). In addition, their living environment is often unhealthy.

As a result of migration, they are often forced to care for their families alone. Women, with an average age of 49.8 years, account for 8.8 per cent of all heads of household. On average, those who live in the urban areas are younger than those in rural areas.

The State has undertaken activities to benefit women, including:

- In 1985, the development and adoption of agrarian and land reform legislation granting women the right to possess and own land;
- The development and adoption of a new individual and family code affirming women's and men's equality before the law;
- In 1986, the development and adoption of a plan of action in the field of family planning (*Zatu* AN IV – 008/CNR/NEF-SN of 24 October 1986;
- The development and adoption of a cooperative group organization act;
- The implementation of a programme to support the promotion of independently managed social and health activities in rural regions;
- Ongoing public awareness training.

Despite these efforts to develop the activities necessary to the support and protection of families, some problems remain:

- Inadequate financial resources (limited credit);
- Cash flow problems and lack of monitoring;
- Inadequate supervision and training;
- Problems with the implementation of land title legislation and disparities between that legislation and the real situation in the field;
- Lack of guarantee.

In view of the extremely important role which rural women play in the economy, consideration should be given to short- and medium-term measures, including:

- Wide dissemination of the legislation related to the Environment Code, the Forestry Code and the Agrarian and Land Reform (RAF);
- Implementation of a brickworks project by 1997.

Participation in the preparation and implementation of development plans

Before the creation of village groups, rural women did not participate in the preparation of development plans. During the past few years, however, they have been involved in the preparation and implementation of such plans through projects which they themselves initiate.

Furthermore, the introduction of literacy training in rural areas has made it possible for rural women to participate more effectively in all stages of the preparation and implementation of development plans.

The goals of projects to benefit women include helping them to achieve better organization, increased productivity and, ultimately, a substantial income.

Over 2,000 women's groups are officially recognized and receive support from both government offices and non-governmental organizations. Such individual and collective support is provided for projects which include small business loans for fattening sheep, agricultural loans, the establishment of business unity, management training and literacy projects.

This support enables women to earn income and to make a substantial improvement in their own living conditions and in those of their families.

Successful projects involving women have included:

- A project for the promotion of women in Comoé (in the south-western part of the country);
- A project to support the promotion of independently managed social and health activities in rural areas;
- Integrated development projects in the provinces of Zoundwéogo, Sanmatenga, Sanguié, Bulkiemdé and Tapoa;
- A development project in the Tougan region (in the north-western part of the country);
- A soil management and resource conservation project on the central plateau; and
- A water, soil, agriculture and forestry conservation project.

All of these projects either focus specifically on women or involve activities which benefit both women and men. The goals pursued are those established in the 1991–1995 five-year plan for the promotion of women.

However, we shall describe in detail two projects which illustrate the situation perfectly and are worthy of notice: the Tougan region development project and the rice project in the province of Comoé.

The Tougan region development project began in 1986. It focuses on improving the living conditions of the peoples of that region through the active participation of villagers and empowerment at the grass-roots level, with special emphasis on ways in which women can help to lessen their own workload and increase their income.

Thus, the project provides loans to small businesses, for sheep-raising, windmills and bicycles, *inter alia*, and involves activities which target both men and women, such as grain banks, literacy training and instruction in the digging of small irrigation ditches and manure pits.

These activities have attracted women's interest and strengthened their social position. Women welcome new ideas and activities. They always seek to learn in order to improve their understanding of problems and possible solutions. This desire has led them to request assistance and to make useful suggestions.

It must be said that women were not taken into account at the beginning of the "Comoé Rice project". They were extremely interested in rice-growing but were aware of the crucial land problem.

At the beginning of the project, land was distributed by the customary chiefs, and women in traditional society could not hope to own a tract because they were not the heads of household.

However, once their interest had been noted, women were included in the project and assigned individual parcels of land. Today, they own their parcels, although they consider them far too small.

In short, thanks to these projects and programmes, a clear change of attitude can be seen and is an encouraging sign which may enhance women's social and economic development. However, it must be said that in rural areas, illiteracy, inadequate training and information and overwork are major obstacles to an improvement in women's participation in the economy.

In fact, rural women do not always have free time and must bear the burden of social and cultural traditions. In the field, there is a lack of coordination between participants and insufficient motivation. It should also be noted that there is a total absence of social security in rural areas.

In the future, significant measures will be taken to enable rural women to participate fully in development activities. These measures will include:

- Developing literacy training centres;
- Inviting women to learn to read and write;
- Encouraging non-formal child-care arrangements;
- Increasing the emphasis on functional literacy training.

Housing, health, energy, transport and communications

Burkina Faso has no housing policy for rural areas.

In the area of health, efforts to dig modern wells are under way. Latrines are also being built.

There are many projects in the fields of transport and communications, including:

- 9,617 km of rural roads;
- 1,994 km of unpaved roads;
- 1,679 km of paved roads.

A network of manual telephones links 32 villages; 90 others are linked by automatic telephone networks.

Insufficient financial resources, weather constraints and failure to maintain wells are the primary obstacles to the development of housing, transport, communications and electricity and water supplies in the rural areas of Burkina Faso.

In order for the rural women of Burkina Faso to enjoy decent living conditions, particularly in the areas of housing, health, electricity and water supply, transport and communications, the following measures are planned:

- Development and regular use of local construction materials;
- Development of a housing policy;
- Establishing links between villages and the rest of the country.

Article 15

Article 15 sets forth the principle of the equality of men and women before the law. In this respect, Burkina Faso law accords women the same rights and duties before the courts as its does men; thus, women can bring actions in their own names. They can also obtain legal representation before the courts.

In civil matters this equality is reflected in women's ability to exercise their rights in the same way that men can in respect of entering into contracts and managing their assets.

I. Rights accorded women in civil law

In civil matters, it must be said that unsuitable laws exist that do not address the real aspirations of the populace and of women in particular; as a result, an anachronistic duality has survived in the legislation and the courts because of the coexistence of (a) a code of modern law based on French-inspired written law as applicable on the date of independence; and (b) a code of traditional law based on custom and religion. This dualism is supposed to disappear and be replaced by a single body of civil law applicable to all the people of Burkina Faso. In this respect, the draft civil code that is under development by the national codification commission will in the very near future relieve this legal shortcoming.

Meanwhile, however, it should be noted that in contract law (contracts and quasi-contracts), women, like men, are governed by French law, in this case the Civil Code applicable in French West Africa.

The basic freedoms – freedom of movement, choice of residence and domicile – were accorded to women on an equal footing to men under the 1991 Constitution and as spelt out in the Individual and Family Code.

The question of women's management of their assets is also governed in part by the same Code: article 322 provides that each spouse retains full ownership of his or her own assets, while article 300 states that each spouse may, without the other's consent, open a bank account in his or her own name, and that the account-holding spouse is considered by the depository as being entitled to dispose freely of the funds or securities on deposit.

The question of residence is governed by article 294 of the Code, which provides that the choice of residence is made by mutual agreement between the spouses. In the event of disagreement, however, the residence is chosen by the husband. This provision is a breach of the principle of equal rights and duties between spouses in that it gives greater weight to the husband's choice than to the wife's. This provision should therefore be modified to re-establish equality between spouses.

Article 294 entitles a married woman to go to court to obtain a separate residence from the one chosen by her husband in the event that the husband's residence would be physically or morally dangerous for her and her children.

Article 16

Article 16 calls on States to take all appropriate measures to eliminate discrimination against women in all matters relating to marriage. Article 23 of Burkina Faso's Constitution defines the family as the basic unit of society and describes the conditions under which family relationships must be practised so that all family members – father, mother and children – can live in a dignified manner.

Besides the Constitution, the Individual and Family Code also regulates family relations and marriage, and in that regard sets out the principle of legal equality between men and women.

II. Protection of women under family law

Faced with the current situation in Burkina Faso, with several forms of marriage – polygamy, forced and traditional marriages and so on – which have a tendency to create conflict situations within families and put women in a degrading position of inferiority, the law had to make a political choice by taking steps with the aim of enfranchising women and protecting them against all forms of discrimination in relation to marriage and family relationships. Thus, the law sets out the following fundamental principles to protect women:

1. Matrimonial freedom;
2. Obligation to record the marriage in an official register;
3. Equality of rights and duties between spouses;
4. Protection of children;
5. Non-pecuniary and pecuniary protection of women;
6. Freedom to decide on the number and spacing of children and access to information and education.

(a) Matrimonial freedom

Women as well as men have the right to choose their spouse and to marry with their free and full consent. If the spouses are under the age of majority, the marriage may not take place without authorization by the father or legal guardian of the minor (legal age for marriage: 20 for men, 17 for women).

Despite these provisions, forced and under-age marriages continue to take place.

Steps have been taken with the aim of guaranteeing the principle of matrimonial freedom: specifically, penal sanctions against the perpetrators of forced marriages are planned in the draft penal code (article 340).

(b) Registration of marriages

Article 273 of the Individual and Family Code makes it obligatory to record marriages in a civil register: under its provisions, marriages are solemnized before a Civil Registry official for the locality where the marriage dossier is originated, or, if there is due cause, by another Civil Registry officer upon authorization by a civil court.

Also, it provides for the marriage to be entered into the couple's birth certificates and for the bans to be published 30 days before the marriage is solemnized.

However, in practice these provisions do not protect marriage sufficiently, as they are not being implemented.

Also there is a shortfall in the production of documents, enabling certain unscrupulous individuals to contract several marriages after opting for the monogamous regime. Civil Registry officials, frequently through ignorance and occasionally by complicity, solemnize marriages without trying to carry out any checks beforehand. These officials therefore ought to be given some training. An effort should be made so that complete dossiers can be provided before marriages are solemnized.

(c) Equality of spouses' rights and duties

Marriage entails identical rights and duties for the couple. Specifically, they must help each other, stay faithful to one another, choose their domicile together, provide for the needs of the household as far as possible and respect each other.

These rights and duties between the spouses should be strengthened and shouldered equally between them.

Thus, subparagraph 2 of article 299 states that each spouse receives his or her earnings or wages, but may not dispose of them freely until the household expenses have been paid.

Spouses are joint and several in respect of third persons for any debts contracted by either one for the maintenance of the household and the education of any children.

Firstly, this provision enables spouses to take initiatives in the interest of the family without it always being necessary to seek the consent of the other, and secondly it makes them jointly and severally responsible in respect of third persons. The joint and several responsibility falls where there is excessive expenditure that does not have to do with meeting the needs of the family.

In the event that the marriage is dissolved, children under seven are entrusted to the mother except where there are particular circumstances that would render the mother's custody harmful. Once an application for divorce has been made, the court will reject the application if the other spouse establishes that divorce, particularly in view of the respondent's age and the length of the marriage, would have material or moral consequences of exceptional harshness. This provision primarily protects women without jobs and those who are economically dependent on their husbands. Also in principle a divorced woman loses the use of her husband's name unless she establishes in court that the loss will be to her detriment.

For example, a woman in business under her husband's name is likely to lose customers if she goes back to her maiden name. A public awareness campaign aimed at women is to be conducted to make them aware of their responsibilities in the home. Most women leave them to their husbands and do not want to share the household expenses. When there is a death, the surviving spouse becomes the sole inheritor. This provision is an innovation for the women of Burkina Faso, who used to have no right to anything. However, difficulties remain in implementing this because, in the name of tradition, women are often threatened by the parents of the deceased husband and do not dare to claim their share; an awareness campaign is needed here.

(d) Protection of children

The Individual and Family Code stresses the principle of protection for children by eliminating all forms of legal discrimination based on birth or descent. As a result, legitimate children and children born out of wedlock have the same rights.

The question of child custody is governed by the same Code. With the aim of protecting children's interests, custody is not linked to the outcome of the divorce hearing. Thus, depending on what is in their best interests, children may be entrusted to one or the other parent with no consideration given as to who was at fault. However, if the child is under seven, custody must preferentially be awarded to the mother unless *force majeure* intervenes or if the interests of the child require otherwise.

The notion of parental authority is replacing that of paternal power, with the aim of establishing equality between spouses.

The person exercising parental authority over a minor is legally the minor's guardian, unless there are impediments that are deemed valid by the family council.

Adoption has been made possible by law with a view to helping unhappy or abandoned children.

(e) Non-pecuniary and pecuniary protection of women

The law declares that each spouse keeps his or her own name during the marriage and that the wife may use the husband's name.

Similarly, it accords each spouse the right to practise a profession without the other's consent. However, it stipulates that if a spouse claims that the practice of a particular profession by his or her spouse would endanger the family's interests, he or she may apply to civil court, which may issue a substantiated order interdicting the practice of that profession.

The Code sets out the principle of the spouses' freedom to choose the rules for administering and managing their assets. However, this freedom must be exercised within the limits of the law and public morality.

The management of the conjugal estate must be conducted in such a manner as to ensure decent living conditions for the family. Assets acquired jointly or separately by the spouses during the marriage form part of the conjugal estate, as do any wages or fees the spouses receive as a couple or individually, any income deriving from assets covered by the regime of community of property or immovable and movable property brought to the marriage or acquired during it.

(f) Number and spacing of births

The Code does not contain a ruling on this question. In consideration, however, of the principle of parental responsibility under which parents are responsible for the birth, growth and general well-being of their children, parents have the right to choose the number of children they wish to have. The couple should make a free, voluntary and informed decision, taking into account its standard of living.

Although for many years the effort to promote awareness of contraceptive methods in the women of Burkina Faso has been met with various forms of resistance based on outmoded traditional, religious and cultural ideas, in recent years women's attitudes and behaviour have become more favourable towards contraception.

In fact, although the number of women familiar with contraceptive methods accounted for 20 per cent of the urban population and 50 per cent of the rural population in the 1980s, those figures are currently 81 per cent in urban and 65 per cent in rural areas.

Educational level largely determines the dissemination and use of modern contraceptive methods, which means that illiterate women are less likely to use contraceptives than are educated ones.

Although marital engagements are not regulated, if the engagement is broken off, the court can award compensatory damages. It has been observed that gifts exchanged by fiances are often the subject of claims after an engagement has been broken off, and in some cases the judge orders their return.

The future of women's rights in Burkina Faso rests with the establishment, in December 1995, of a project to promote information and awareness about the Individual and

Family Code, in order to enhance family well-being. That project represents a real source of hope for the population in general, and for women in particular.

Its objectives include creating conditions which will favour the institutionalization in the provinces of Code-related training and mobilization activities, instilling a general level of awareness of the Code so that individuals can successfully assimilate into their daily lives its proposed alternatives to traditions governing family relations.

Its strategy consists of integrating activities to promote awareness of the Code into the regular activities of groups and associations. For that purpose, resource persons will be selected and trained in each province.

The resource persons will select and train members of the groups and communities that have been chosen for inclusion in the project as group leaders, who in turn will conduct participatory diagnostic studies into information needs related to the Code.

With a view to ensuring the involvement of all members of the community, government authorities and political, religious and traditional leaders will be kept informed of programme activities.

Annex

Individual and Family Code

General principles

Article 234: Marriage results from the free, conscious choice of a man and a woman to take each other as spouses.

The following are therefore forbidden:

- Forced marriages, especially marriages imposed by families and those resulting from customary rules that oblige the surviving spouse to marry one of the relatives of the deceased;
- Obstacles and barriers to marriage on the basis of race, caste, colour or religion.

Pecuniary consequences of marriage

Article 298: Each spouse shall enjoy full legal capacity, although his or her rights and powers may be limited by the matrimonial regime and by the following provisions.

Article 299: If the marriage covenant does not establish the contribution of the spouses to household expenses, they shall contribute thereto in proportion to their respective capabilities.

Each spouse shall receive his or her own earnings but may not dispose of them freely until after household expenses have been paid.

Article 300: Each spouse may, without the other's consent, open a bank account in his or her own name. The spouse who holds the title to an account is considered by the depository to have free disposal of the funds or securities on deposit.

Penal Code

Female sexual mutilation

Article 344: Whoever violates or attempts to violate the integrity of the sexual organ of a woman by total ablation, by excision, by infibulation, by deadening of the nerves or by any other means shall be punished by imprisonment for six months to three years and/or by a fine of from 150,000 to 900,000 francs.

If the result is death, the punishment shall be imprisonment for 5 to 10 years.

Article 345: The maximum punishment shall be applied if the guilty party belongs to the paramedical or medical profession. The court may also bar him from exercising his profession for a period of not longer than five years.

Article 346: Any person who, having knowledge of the facts set forth in article 344, fails to inform the competent authorities shall be punished by a fine of 50,000 to 100,000 francs.

Labour Code

Article 23: A pregnant woman employee transferred to another post because of her condition shall retain her former wages during the duration of the transfer.

Abbreviations

CONALDIS	–	National Committee to Combat Discrimination
ADP	–	Assembly of People's Deputies
EVF	–	Family Life Education
DPF	–	Department for the Promotion of the Family
RAF	–	Agrarian and Land Reform
FAARF	–	Support Fund for Women's Gainful Activities
INSD	–	National Statistics and Demography Institute
AME	–	Mothers' Educational Associations
ABBEF	–	Burkina Faso Association for Family Well-Being